

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

Warren E. Young  
177 League Road  
Simpsonville, South Carolina 29681

SCDOI File Numbers  
2002-111875, and 2002-112808

**Default Order Revoking  
Resident Insurance Agent's License**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 2002), by the State of South Carolina Department of Insurance upon Warren E. Young, a licensed South Carolina resident insurance agent, by both certified mail, return receipt requested, and by regular mail on May 29, 2002.

That letter informed Mr. Warren Young of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. The letter further warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as a resident insurance agent within the State of South Carolina. Despite that warning, as of September 11, 2002, Mr. Young has not timely answered or requested a public hearing. On that date, therefore, counsel for the Department filed an Affidavit of Default and submitted the entire matter directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a resident insurance agent within the State of South Carolina for Allianz Life Insurance of North America, Mr. Warren Young failed to remit an application and check in the amount of \$52,000 that he had received. In addition, on March 22, 2002, Mr. Young was convicted by a Laurens County General Sessions Court of "Making a False Statement or Misrepresentation" in The State v. Warren E. Young (Criminal) Docket Number 02-GS-30-315 and of "Unlawful Offense by an Insurance Agent" in The State v. Warren E. Young (Criminal) Docket Number 02-GS-30-316. Both of these offenses are crimes of moral turpitude and violations of South Carolina's insurance laws (§§ 38-55-540 and 38-43-240).

Section 38-43-130 of the South Carolina Code provides, "the director or his designee may revoke or suspend an agent's license after ten day's notice...when it appears that an agent has been convicted of a crime of moral turpitude, has violated [the insurance laws of South Carolina] or has willfully deceived or dealt unjustly with the citizens of this State." This Code section goes on in Subsection (3) to describe "deceived or dealt unjustly with the citizens of this state" specifically to include, "failing to transmit promptly or pay all or a portion of the amount of an insurance premium when the agent or one of his employees has received payment from a customer or insured or someone on his behalf or when it has been financed by the agent."


In accordance with my findings of fact, and considering Mr. Young's complete refusal to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that he willfully deceived and dealt unjustly with the citizens of South Carolina, thereby violating S.C. Code Ann. § 38-43-130 (2002), and that his license should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2001). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110 (3) (2002).

It is therefore ordered that Warren E. Young's license to transact business as a resident insurance agent within the State of South Carolina be, and is hereby, revoked, and that no license, issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this Order be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Mr. Young is currently licensed.

This order becomes effective as of the date of my signature below.

  
Ernst N. Csiszar  
Director

12 September 2002 at  
Columbia, South Carolina